

U.S. DISTRICT COURT
DISTRICT OF NH

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW HAMPSHIRE **FILED**

ELIZABETH CRAM and

JOHN CRAM

Plaintiffs

v.

CIVIL NO. 1:18-CV-00394-LM

BURGER KING CORPORATION;
NORTHEAST FOODS, LLC d/b/a
NORTHEAST FAST FOODS; and
SHOUKAT DHANANI, PERSONALLY
Defendants

PLAINTIFFS' ASSENTED MOTION FOR LEAVE TO FILE UNDER SEAL

The plaintiffs move the Court pursuant to Federal Rule of Civil Procedure 26(c), Local Rule 83.12(a)(3), and Administrative Procedure for Electronic Case Filing 3.3 for an Order permitting the plaintiffs to file Exhibits 2 and 4 to their Objection to Burger King Corporation's and Shoukat Dhanani's Motion for Summary Judgment (the "Objection") under Level I seal. The plaintiffs have consulted with defendants' counsel and they assent to this motion.

Opposing counsel filed an assented Motion for Protective Order with the Court on August 2, 2018 [Doc. 12]. The Court granted the Protective Order on August 3, 2019 [Doc. 15].

The plaintiffs request that the Exhibits Nos. 2 and 4 to their Objection be filed under Level I seal because they are documents or information that the defendants have designated "CONFIDENTIAL-SUBJECT TO PROTECTIVE ORDER" pursuant to the Protective Order. Exhibit 2 of the Objection contains pages of the lease agreement between Burger King Corporation ("Burger King") and Northeast Foods, LLC ("Northeast Foods"), for the restaurant at issue in this litigation. Exhibit 4 of the

Objection contains pages from the Franchise Agreement between Burger King and Northeast Foods for the same restaurant. Both documents are highly confidential and constitute proprietary commercial information Burger King and Northeast Foods do not wish to become public.

The plaintiffs request that the Court permit filing of the complete lease (**EXHIBIT A**) and franchise agreement (**EXHIBIT B**) between the defendants under Level I seal to eliminate the need for the parties to file additional motions to seal in the future regarding other pages in each document to which reference may be made in this litigation.

Accordingly, the plaintiffs respectfully request an Order permitting them to file under Level I seal:

- a. The entire Lease between Burger King Corporation and Northeast Foods, LLC (Document Number BK 000001-000086); and
- b. The complete Franchise Agreement between Burger King Corporation and Northeast Foods, LLC (Document Nos. BK 000087-000128).

A proposed order is attached.

Respectfully submitted,
ELIZABETH and JOHN CRAM
By their attorney

Date: March 15, 2019

By: /s/ David N. Cole 
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CERTIFICATE OF SERVICE

I certify that on the above date, a true and accurate copy of this document was served via ECF on the following counsel of record:

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By: /s/David N. Cole 

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Defendants

[PROPOSED] ORDER GRANTING PLAINTIFFS'
ASSENTED MOTION FOR LEAVE TO FILE UNDER SEAL

Pursuant to Federal Rule of Civil Procedure 26(c), Local Rule 83.12(a)(3), and Administrative Procedure for Electronic Case Filing 3.3, the Court grants Plaintiffs' Assented Motion for Leave to File Under Seal permitting the parties to file **EXHIBIT A** (Lease between Burger King Corporation and Northeast Foods, LLC, for the subject location, Document Nos. BK 000001-000086) and **EXHIBIT B** (Franchise Agreement between Burger King Corporation and Northeast Foods, LLC, for the subject location, Document Nos. BK 000087-000128) under Level I seal. The documents shall remain sealed until this Court orders otherwise.

So ordered this _____ day of _____, 2019.

Landya B. McCafferty
U. S. District Judge